<u>REMARKS/ARGUMENTS</u>

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 3-10, and 12 are currently presented in this amendment. Claims 1, 3-10, and 12 are currently amended. Claims 2, 11, and 13-14 are canceled without prejudice. The changes and additions to the claims do not add new matter and are supported by the originally filed specification.

In the outstanding Office Action, Claims 11-14 were rejected under 35 U.S.C. §101 as directed to non-statutory subject matter; Claims 1 and 7-14 were rejected under 35 U.S.C. §102(b) as anticipated by <u>Fujii et al.</u> (U.S. Patent No. 6,788,878, hereafter "<u>Fujii</u>"); Claims 1-2 and 4-14 were rejected under 35 U.S.C. §102(e) as anticipated by <u>Chotoku et al.</u> (U.S. Patent No. 6,728,473, hereafter "<u>Chotoku</u>"); and Claim 3 was rejected under 35 U.S.C. §103(a) as unpatentable over <u>Chotoku</u> in view of <u>Rastakonda</u> (U.S. Patent No. 5,956,026).

Applicants note that <u>Fujii</u> is cited in the outstanding Office Action as applied art under 35 U.S.C. §102(b). However, Applicants' filing date of December 6, 2001 predates the patent issue date of <u>Fujii</u> of September 7, 2004, and <u>Fujii</u> does not indicate a publication date more than 1 year prior to Applicants' filing date. Therefore, Applicants' respectfully submit that <u>Fujii</u> be withdrawn as a reference under 35 U.S.C. §102(b). In the following arguments, Applicants will consider <u>Fujii</u> as applied art under 35 U.S.C. §102(e).

In view of the rejection of Claims 11-14 under 35 U.S.C. §101, Claims 11, 13, and 14 are canceled and Claim 12 is amended to recite a computer-readable recording medium for storing a computer program that includes instructions, which is believed to be statutory subject matter. Support for these features can be found in the originally filed specification in original Claims 11 and 12. No new matter has been added. Therefore, Applicants respectfully request this rejection be withdrawn.

In view of the rejection of Claims 1 and 7-14 under 35 U.S.C. §102(b) and Claims 1-2 and 4-14 under 35 U.S.C. §102(e), independent Claims 1 and 10 have been amended to more clearly recite a replay controller being configured to control a replay in accordance with metadata associated with video material, the metadata defining an information content of the video material and defining an information event within the video material as a threshold change in the information content, and the replay controller is further configured to replay the video material with a pre-defined number of information events in a unit of time in a replayed sequence. Support for these features can be found in the originally filed specification on page 4, lines 1-11 and page 15, lines 15-19. No new matter has been added.

Briefly recapitulating, amended Claim 1 is directed to a video replay apparatus including a content storage device, a replay controller configured to control a replay of video material from the content storage device, the replay controller being configured to control the replay in accordance with metadata associated with the video material, the metadata defining an information content of the video material and defining an information event within the video material as a threshold change in the information content, and the replay controller is further configured to replay the video material with a pre-defined number of information events in a unit of time in a replayed sequence. Amended Claim 10 recites similar features to Claim 1.

In a non-limiting example, Fig. 1 shows the video replay apparatus 10 including the content storage device 20 and the replay controller 40. The replay controller 40 is configured to control a replay of video material stored in the content storage device 20 in accordance with metadata associated with the video material. The metadata defines the information content of the video material (see page 4, lines 1-11) and defines an information event within the video material as a threshold change in the information content (see page 15, lines 15-19). The replay controller 20 is further configured to replay the video material with a pre-defined

number of information events in a unit of time in a replayed sequence (see page 15, lines 15-19).

Turning to the applied art, Fujii shows in Fig. 1 a magneto-optical disk 113, which constitutes a video material store according to the outstanding Office Action, and on Fig. 9 Fujii shows a CPU 709, which constitutes a replay controller according to the outstanding Office Action. The CPU 709 decodes image data stored in memory 706 and selects image data and writes the selected image data into a buffer 711 (see col. 13, lines 2-7).

However, Fujii fails to teach or suggest a replay controller being configured to control a replay in accordance with metadata associated with video material, the metadata defining an information content of the video material and defining an information event within the video material as a threshold change in the information content, as required by amended Claims 1 and 10.

Thus, it is respectfully submitted that amended Claims 1 and 10 (and all associated dependent claims) patentably define over Fujii.

Turning to Chotoku, Chotoku shows in Fig. 1 a recording medium 6 and a reproduction circuit 7, which constitutes a replay controller according to the outstanding Office Action. Chotoku teaches that representative pictures are recorded on the recording medium 6 and are read by the reproduction circuit 7 and supplied to the representative picture display control circuit 9 (see col. 5, lines 23-26). The picture display control circuit 9 outputs picture data to an analog conversion circuit 10, where further processing is supplied to an analog signal provided for the circuit 10 before a resulting signal is sent to a display unit (see col. 5, lines 31-40).

However, Chotoku fails to teach or suggest a replay controller being configured to control a replay in accordance with metadata associated with video material, the metadata defining an information content of the video material and defining an information event

within the video material as a threshold change in the information content, as required by amended Claims 1 and 10.

On the contrary, <u>Chotoku</u> is concerned with generating a representative thumbnail index of a recorded program (see col. 2, lines 3-7) and not with reproduction playback, and certainly not with linking reproduction playback to information content.

Specifically, <u>Chotoku</u> describes that several criteria are used to select which of several candidate still images extracted periodically from a video feed is to be kept as a representative index image (see col. 3, lines 18-37). <u>Chotoku</u> describes that blocks with high saturation colour may indicate a title sequence, while a form of facial detection may indicate a recognizable face. A frame associated with a loud noise might also be representative. A score for each of these criteria is added together (see col. 7, lines 42-50) and the image with the largest score over a time interval is added to the index (see col. 7, lines 51-55 and col. 8, lines 28-36). <u>Chotoku</u> notes that the time interval is arbitrary, and thus clearly unrelated to the information content (see col. 8, lines 28-36).

Additionally, <u>Chotoku</u> teaches that a playback of the index is in the form of a table of images (see col. 5, lines 23-40). Therefore, the criteria described by <u>Chotoku</u> has no impact on the playback rate of the stored video, let alone on the playback rate being a function of information content.

Furthermore, the outstanding Office Action relies on <u>Chotoku</u> to show a replay controller being operable to replay video material so as to give a defined rate of information events in a replayed sequence, as recited in original Claim 2, and similarly recited in amended Claims 1, 10, and 12. However, in the passage of <u>Chotoku</u> cited in the outstanding Office Action regarding original Claim 2, <u>Chotoku</u> only teaches that a DVD-RAM may be used as the recording medium 6 (see col. 4, lines 35-40), not that there is a fast or slow speed

mode for a DVD player under control by a user as indicated by the outstanding Office Action.

However, even a fast or slow speed mode for a DVD player under control by a user is still not equivalent to a replay controller being operable to replay the video material so as to give a pre-defined number of information events in a unit of time in a replayed sequence, and where metadata defines an information event within the video material as a threshold change in the information content, as required by amended Claims 1 and 10.

Thus, it is respectfully submitted that amended Claims 1 and 10 (and all associated dependent claims) patentably define over Chotoku.

Ratakonda has been considered but fails to remedy the deficiencies of Fujii and Chotoku as discussed above with regards to Claims 1 and 10.

Specifically, Ratakonda is concerned with representative keyframes (see col. 2, lines 13-17). Ratakonda describes pruning keyframes until at least a threshold cumulative difference in image content exists between the keyframes (see col. 8, lines 31-41). However, this is not the same as defining threshold changes in information content, and then replaying video material so as to give a pre-defined number of information events in a unit of time in a replayed sequence, as required by amended Claims 1 and 10.

Thus, it is respectfully submitted that amended Claims 1 and 10 (and all associated dependent claims) patentably define over Fujii, Chotoku, and Ratakonda, either alone or in combination.

Claim 12 is amended to recite a computer-readable recording medium for storing a computer program that includes instructions with similar features as amended Claims 1 and 10. No new matter has been added.

Thus, it is respectfully submitted that amended Claim 12 patentably defines over

Fujii, Chotoku, and Ratakonda, either alone or in combination, for the reasons discussed

above in regards to amended Claims 1 and 10.

Consequently, in light of the above discussion and in view of the present amendment,

the outstanding grounds for rejection are believed to have been overcome. The present

application is believed to be in condition for formal allowance. An early and favorable action

to that effect is respectfully requested.

Respectfully submitted,

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